

Exhibit 45

May 2015 White House Statement

the WHITE HOUSE PRESIDENT BARACK OBAMA



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The White House

Office of the Press Secretary

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April 23, 2015

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Press Briefing by Press Secretary Josh Earnest, 4/23/2015



James S. Brady Press Briefing Room

*Please see below for a correction, marked with an asterisk.

1:03 P.M. EDT

MR. EARNEST: Before I go to your questions, let me just begin by saying that I anticipate that many of you will have legitimate questions about the death of Dr. Weinstein and the counterterrorism operation that was carried out by the United States government that resulted in his death.

The President, as you heard in his opening remarks, has taken full responsibility as the Commander-in-Chief for the operation and for its unintended but yet very tragic consequences. The President has directed all of us to share as much information as possible with you and with the American people about what occurred.

In pursuit of that effort, I spent a decent portion over the last 24 hours talking with our national security team, talking with the attorneys on our national security team to try to collect as much information as possible and to give you as much detail as possible so I could answer your questions on this matter.

However, as you would expect, in order to protect our ability to carry out counterterrorism operations, there are some details, including some very basic details, that I will not be in a position to discuss. So, for example, I'm not going to be in a position to talk with precision about where this operation occurred, and I'm not going to be able to talk in much detail at all about how this operation was carried out.

But that all said, we're not planning a background briefing here at the White House. I'm here at the President's instruction to answer as many questions in as much detail as I can, on the record and in public. And as the President mentioned, our country and our government's willingness to face up to mistakes and redouble our efforts to review protocols and procedures to

prevent them from happening again is one of the things that makes our country so unique and contributes significantly to our strength.

So in that spirit, Josh, let's get started with some questions.

Q Thanks, Josh. Let's start just with some of the facts of what happened, to the extent that you can discuss them. How many other people were killed in these two strikes, either local civilians or militants?

MR. EARNEST: Josh, I won't be able to provide specific numbers on this. I can tell you that in the specific strike that resulted in the death of Dr. Weinstein and Mr. Lo Porto, there was one other al Qaeda leader who was among those that was killed. That is the -- Ahmed Faruq, the American citizen al Qaeda leader. This was a strike against an al Qaeda compound, and the result was the death of at least one al Qaeda leader.

I can tell you that the assessment that we have right now does not raise questions about additional civilian loss of life. Again, the reason for that is that the standard that was in place and, to the best of our knowledge, was closely followed by our counterterrorism professionals was to adhere to this near-certainty standard. And that near-certainty standard applied to two things.

The first is near certainty that this was an al Qaeda compound that was used by al Qaeda leaders; that turned out to be true. That assessment did turn out to be correct. The other near-certainty assessment was that no civilians would be harmed if this operation were carried out. Unfortunately, that was not correct, and the operation led to this tragic, unintended consequence.

Q And there's very little at this point that we know about the Gadahn operation. Who was the target of that operation? And were others killed in that strike?

MR. EARNEST: Josh, I can tell you that Mr. Gadahn was not specifically targeted. But in a fashion that was similar to the operation that we were discussing that resulted in the death of Dr. Weinstein and Mr. Lo Porto, the operation was against an al Qaeda compound. So again, this is a scenario where U.S. officials had determined with near certainty that an operation could be carried out against an al Qaeda compound that was frequented, or at least where at least one al Qaeda leader was located. And that operation did result in the death of Mr. Gadahn.

Q So are you saying basically that there were not specific individuals that were being targeted in that strike, but more the U.S. knew this was a place al Qaeda guys went and so the U.S. struck there under the presumption that they'd be likely to take out some al Qaeda operatives by striking that location?

MR. EARNEST: Yes. Again, based on the intelligence assessment, they could conclude with near certainty that this was an al Qaeda compound that was frequented by al Qaeda leaders, or at least an al Qaeda leader.

There's one other element of the near-certainty standard that applied to the first operation, the one that resulted in the death of Ahmed Faruq, and that is that there were hundreds of hours of surveillance against that particular al Qaeda compound. And this surveillance included near-continuous surveillance in the days leading up to the operation, and that is what led to the near-certain assessment that it was an al Qaeda compound frequented by an al Qaeda leader, and did not include -- or that civilians would not be included in an operation against the compound. Obviously, the latter assessment was incorrect.

Q We know these strikes took place in January, but you said in your statement this morning that the U.S. recently confirmed what had happened and that these individuals had died. Can you tell us when exactly was that? Are we talking days, weeks, months ago? And how long did you wait after coming to those conclusions before informing the families of these hostages?

MR. EARNEST: Josh, this is a good question. Let me try to explain how this process works. When a counterterrorism operation is carried out, it is followed by a battle damage assessment where our intelligence professionals evaluate the region or the area where the operation was carried out to determine the results of the operation and whether or not, if any, civilian casualties occurred.

And in the process of carrying out that battle damage assessment, that draws on multiple sources of intel. There was some indication that Dr. Weinstein had been killed. This was not in the early stages linked directly to the U.S. government operation. So as intelligence was collected that indicated, or at least raised questions about whether or not Dr. Weinstein was still alive, the intelligence community that has been devoting significant resources to trying to find and rescue him began to explore more completely whether, in fact, Dr. Weinstein was dead and to try to learn the circumstances of his death.

And only in the last several days did the intelligence community reach an assessment with a high degree of confidence that Dr. Weinstein had been killed in a U.S. government counterterrorism operation. The President was briefed by his national security team very soon after that high-confidence assessment was completed. Upon receiving that assessment, the President directed his team, as I made reference to, to declassify as much information as possible about this specific operation for two reasons. One is to provide details to the families. And two is to be candid with the American public and with the world about what had happened. And the President mentioned in his statement how he believes the United States derives important strength from having the confidence and courage to face up to mistakes when they are made, even when they are as serious as this and, I guess he would say, particularly when they're as serious as this.

Let me say one other thing about our communication with the Weinstein family, and that is that there was an open line of communication with the Weinstein family. The Weinstein family was very aware, as they indicated in their statement today, that the U.S. government was working diligently to try to find Dr. Weinstein.

And when there was intelligence indicating the possible death of Dr. Weinstein, that information was also shared with the family. But again, it was only after the high-confidence assessment was completed in the last several days was the family informed that the intelligence community does assess that Dr. Weinstein was killed in a U.S. government counterterrorism operation.

Q And I know many of us have been reflecting, as I'm sure you have, on the 2013 speech that the President gave at National Defense University laying out his counterterrorism strategy. And in that speech, the President was pretty firm about laying out this standard of near certainty that no civilians would be killed or injured in a strike.

Today, from this podium, we heard quite a different type of rhetoric. We heard the President talking about the fog of war and the cruel truth that deadly mistakes can often happen when you're fighting terrorists. I'm wondering, has the President lived up to the principles that he set out for himself when he gave that speech?

MR. EARNEST: The President has absolutely lived up to the principles that were laid out in that speech. Prior to giving that speech, there was not a lot of clear guidance. There were not clear -- or at least the protocols were not as clear as they are today about how these kinds of counterterrorism operations should be carried out.

And because of the diligent work of the President and his national security team and our national security professionals, there is much greater clarity about how our counterterrorism officials can both use our significant capabilities to protect the American people while also living up to the very high standards and values that the President expects. And so that is what the goal of those protocols and those reforms that the President laid out in the speech.

What's also clear and what I would also readily admit to you is that in the aftermath of a situation like this, it raises legitimate questions about whether additional changes need to be made to those protocols.

Again, to put it more bluntly, we have national security professionals who diligently follow those protocols based on what we all -- based on everything that we know so far. They follow those protocols, and yet it still resulted in this unintended but very tragic consequence. And that's why the President has directed his team to conduct a review of this particular operation to see if there are lessons learned, reforms that we can implement to this process.

What I can also let you know is that there is an ongoing inspector general review of this matter so that we'll have an opportunity for someone to take an independent look at this particular operation and also offer up recommendations for changes that could be made that could do more to prevent these kinds of, again, tragic, unintended consequences from occurring in the future.

Q And lastly on this issue of revealing what happened -- there's been a flurry of statements this morning from members of Congress, not only joining the President in offering condolences but promising rigorous oversight from some of the relevant congressional committees. Does the White House feel that Congress has a role to play in figuring out what went wrong here and how to possibly prevent it from happening again?

MR. EARNEST: Well, Josh, I can tell you that the President believes that Congress does have a very important oversight role over these kinds of

programs. That's why in the President's National Defense University speech that he delivered a couple of years ago he made clear that when these kinds of counterterrorism operations are carried out, that the relevant members of Congress are briefed about each operation. And that is an indication of the seriousness with which the administration pursues cooperating with legitimate congressional oversight.

And I can tell you that as these intelligence assessments about the death of Dr. Weinstein and the ultimate high-confidence assessment that he'd been killed in a U.S. government operation was shared with the President, that information was also shared with relevant members of Congress.

Jeff.

Q Josh, will the U.S. government provide compensation to the families of the two hostages who were killed?

MR. EARNEST: Yes.

Q Can you give any details about that or how much?

MR. EARNEST: I'm not aware of what the details of that compensation is, but I can tell you that compensation will be provided.

Q To both families?

MR. EARNEST: To both families -- to both Dr. Weinstein and the family of Mr. Lo Porto.

Q How will this incident affect specifically the U.S. policy, government policy on usage of drones?

MR. EARNEST: Well, Jeff, there are certain aspects of this specific operation that I'm not going to be able to discuss, including how this specific operation was carried out. But I can say a couple things as a general matter.

The first is the President -- and I had an opportunity to talk about this with him today -- believes that his top priority is keeping the American people safe. And in this particular incident, it is particularly painful and tragic that in the course of carrying out an operation that was aimed at trying to protect the American public, that an American citizen -- an innocent American citizen lost his life.

And it highlights the challenge that our counterterrorism professionals confront every day in terms of balancing the need to use our significant capabilities to protect the American people with the need to carry out these operations consistent with the values that we hold dear in this country.

Q Can you address the issue of drones, though, in any way? I take it you don't want to confirm that that's what used in this particular strike.

MR. EARNEST: I'm not in the position to talk specifically about how the operation was carried out.

Q Can you talk, though, about a future review of drone strategy more generally?

MR. EARNEST: What I can say is that these counterterrorism operations that are critical to the national security of the United States and critical to the safety of the American people continue. At the same time, there is an ongoing review both by our national security infrastructure and by an inspector general to review what occurred in this particular operation and to make recommendations about some reforms to the protocols and policies that are in place that would make it less likely that an unintended consequence like this would crop up again.

And that's not -- these kinds of reviews are not unusual; that our national security professionals after every operation try to review what had occurred -- even when it's successful, particularly when it's successful -- to derive lessons learned and to look for other ways, or changes that could be put in place to strengthen our protocols both in terms of their capabilities, but also in ensuring that they're living up to the values that are so important to our country.

Q Mrs. Weinstein said today that she hoped her husband's death would prompt the U.S. government to "take its responsibility seriously and establish a coordinated and consistent approach to supporting hostages and their families." Do you hear that criticism? Can or should the United States government be doing more to support hostages and their families?

MR. EARNEST: Well, Jeff, I probably should have said this earlier, but it's -- the President had the opportunity to do that this morning, but let me use this opportunity to convey our condolences to the Weinstein family for the death of Dr. Weinstein. And the Weinstein family right now is enduring something that's

unthinkable to contemplate the loss of their loved one in this particular manner. And our thoughts and prayers of everybody here at the White House is with the Weinstein family.

And so an expression -- given those circumstances, an expression along the lines of what you just read from her statement is, of course, understandable. And what she also noted in her statement is her appreciation for U.S. counterterrorism and national security professionals that had gone to great lengths to try to rescue her husband and to do their best to keep the family informed.

But we have heard from other families who have been in this terrible situation about the need for improved communication with the federal government when they're in the midst of these circumstances. And the President has ordered a review of the way in which the government and our national security apparatus communicates with families that are in this terrible position.

And so the President is familiar with that frustration that is understandable and is articulated in her statement. And the goal of the ongoing review is to try to address those frustrations. I don't have any announcements to make in terms of the timing for that review, but I would anticipate that that review will be done relatively soon.

Mike.

Q Thanks, Josh. Two things. Following up on what Jeff asked, can you say that the use of counterterrorism operations, like the one that was used in this incident, have been reduced because of the review that's ongoing? In other words, are things happening less often? Are those strikes happening less often because this review is underway? Has something been -- has a spigot been turned off?

MR. EARNEST: Let me try to answer your question this way, which is that the United States retains significant capabilities to protect the American people. And the expectation that the President has -- and this is mentioned in the National Defense University speech -- is that when these operations are carried out, that they follow very specific protocols and procedures that balance the need to protect the American people with the need to adhere to very high standards in terms of preventing civilian casualties.

Consistent with those protocols, our counterterrorism operations continue. And if there are reforms that are derived from the review that can strengthen those protocols or make those protocols more likely to result in successful counterterrorism operations, then the administration will act quickly to implement those reforms.

Q And then second, I appreciate your trying to give us a timeline of when you learned what you guys learned. But there's almost no times in the timeline. So let's just real quickly, what day did this happen -- did the strikes happen?

MR. EARNEST: I'm not able to --

Q You said where or how; that's a when.

MR. EARNEST: Okay. Well, the when is in that same category. Unfortunately, there was not an exhaustive list of things I'm not able to disclose.

What we have indicated is that both of these strikes that were mentioned in my written statement this morning occurred in January. But precisely when --

Q And you won't say when in January? Early, late?

MR. EARNEST: I'm not able to say precisely when.

Q Can you say then -- can you give us some sense of when you -- when the government first learned or first suspected that Mr. Weinstein was perhaps dead? Not yet known that it was at the hands of the U.S., but is that February, early February, late February? I mean, give us a sense of the time of when that happened.

MR. EARNEST: I would say that in the weeks after the strike, there were -- or in the weeks after the operation, there started to be some intelligence that indicated the possible death of Dr. Weinstein. And it was in the course of following up on those intelligence leads and developing intelligence from a wide variety of sources that the intelligence community was able to assess with high confidence that Dr. Weinstein had been killed in a --

Q So that initial assessment would have been in February, right, if it was weeks? Because we know the strikes -- the operations happened in January.

So in February, sometime, you guys had that initial assessment that they might be dead?

MR. EARNEST: Well, I don't think that the intelligence community actually reached an assessment in February. I think --

Q They started hearing things.

MR. EARNEST: They started --

Q And at that point, in February, they also communicated to the family, hey, we think he might be dead?

MR. EARNEST: I don't have a specific timeframe for that. But what I can tell you is that as the intelligence community began to develop information that pointed to the death of Dr. Weinstein, that information was briefed to the President and that information was shared with the Weinstein family.

Q And you don't have the information because you don't have it, or because you've -- I mean, what would the security risks be of telling us a little bit with more precision when some of these things happened?

MR. EARNEST: Well, as it relates to -- it's hard for me --

Q And I guess I get the strike itself. But kind of being more precise about this seems to be in the interest of what the President just promised the American public about transparency.

MR. EARNEST: Well, there's no doubt that we are having a rather detailed conversation about a previously classified operation. And that is consistent with the spirit of what the President talked about in his statement this morning.

I do think that for me to talk about specific timeframes when we learned a piece of information through intelligence, could compromise sources and methods. And that's something that we obviously are very mindful of when talking about these kinds of matters.

Peter.

Q Josh, was the President the one yesterday who first communicated to the Weinstein family that Warren Weinstein was dead?

MR. EARNEST: No, he was not the first person to convey that information to them. There are members of the national security apparatus that had been in regular touch with the Weinstein family to keep them apprised of the ongoing effort to try to rescue him.

Q And so was yesterday the first time that they were told of confirmation that he was dead though?

MR. EARNEST: Yes, this was the first time that they were informed of the high-confidence assessment by the intelligence community that Dr. Weinstein had been killed in the context of a U.S. government counterterrorism operation.

Q Did the President sign off on either of these strikes specifically, or keeping with the policy because there was a presumption that there were no Americans there, that it was a part of policy that these strikes could continue without his official signing off on these specific operations?

MR. EARNEST: The President did not specifically sign off on these two operations. There are policies and protocols in place for our counterterrorism professionals to make decisions about carrying out these kinds of operations based on a wide variety of things, including an assessment of near certainty that the target is an al Qaeda target and that civilians would not be harmed if the operation were carried out.

And that is a decision that is -- that is a policy that the President and his team have put in place that was, as far we know, followed by our counterterrorism professionals. But let me just conclude the answer by saying that the President was very direct up here today when he indicated that he -- while he did not sign off on the specific operation, he does take full responsibility as the Commander-in-Chief for the unintended tragic consequences that resulted from the operation.

Q Adam Gadahn, although he wasn't the specific target of that second of these two strikes, is he a target that the U.S. was trying to find? And would they, knowing that he was there, have pursued that strike against Adam Gadahn?

MR. EARNEST: Well, the thing that you know about Mr. Gadahn, Peter, is that he had been indicted for treason in 2006. That is an indication that he is

somebody who presented a danger to the United States and our interests, and he is somebody that the United States was very interested in finding.

Q Would the President have said, go forward -- or would the President have wanted to go forward with said strike if he knew Adam Gadahn was there?

MR. EARNEST: Well, it's hard for me to entertain a hypothetical like that. Let me --

Q Were you pursuing strikes to find Adam Gadahn?

MR. EARNEST: Let me just say that he was not classified as a HTC HVT* but he was obviously somebody who was wanted by the U.S. government because he had been indicted for treason. There is a procedure and a policy -- again, one that the President put in place -- for carrying out counterterrorism operations against American citizens where necessary.

But in this case, Mr. Gadahn was not targeted. What was targeted was the al Qaeda compound that he frequented. And that strike did succeed in taking some al Qaeda leaders off the battlefield.

Q The ACLU put out a statement a short time ago where it says, among other things, "These new disclosures raise troubling questions about the reliability of the intelligence that the government is relying on to justify drone strikes. In each of the operations acknowledged today, the U.S. quite literally didn't know who it was killing. These and other recent strikes in which civilians were killed make clear that there was a significant gap between the relatively stringent standards the government says it's using and the standards that are actually being used." What's the White House's response to that?

MR. EARNEST: Well, I strenuously disagree. There is no evidence at this point to indicate that our counterterrorism professionals deviated from the established protocols. But it also is important for us to step back here and recognize the situation that we're confronting.

We're talking about the Afghanistan-Pakistan region. This is a region of the world that is exceedingly remote. The President talked about this in his NDU speech back in May of 2013 that al Qaeda figures hide out in these areas because they are remote. They hide out in these areas because they know

that local forces in some cases don't have the will -- in some cases, don't have the capacity -- to go after them.

And when you're talking about a circumstance like that -- and the other thing that they know because it's so remote, that the possibility of putting U.S. boots on the ground to go after them is just not feasible. And what that means is when we're talking about an environment like this, absolute certainty is just not possible. What we can do instead, though, is we can leverage significant intelligence assets to, for example, in this case, actually conduct extensive surveillance of a particular compound.

And as I mentioned, hundreds of hours of surveillance was conducted against this particular compound. We know that near-continuous surveillance of this compound was conducted in the days leading up to the operation. And based on that surveillance and other forms of intelligence, the intelligence community did assess with near certainty that this was an al Qaeda compound that was frequented by al Qaeda leaders. That assessment turned out to be correct.

They also had a near certainty assessment, again, based on that surveillance, that there were no civilians present and that no civilians would be at risk if the operation were carried out.

Now, what we also know is that al Qaeda considers these kinds of hostages to be extraordinarily valuable. And they go to tremendous lengths to try to conceal the location of these hostages. And that is why, unfortunately, that near-certain assessment was wrong. And that is why the President has directed a review to determine if there are any changes that we can make to determine -- or to make it less likely that these kinds of unintended consequences would occur again.

Q If al Qaeda had been willing to make a trade, would the U.S. have been willing to make a similar trade that they made for Bowe Bergdahl, for the life of Warren Weinstein? And was one ever offered?

MR. EARNEST: Peter, the U.S. government went to great lengths to try to rescue Dr. Weinstein. There were significant resources dedicated to trying to determine his whereabouts.

Q Did we offer a trade?

MR. EARNEST: We have been very clear about the policy of the United States. As painful as it is, it is a policy that prevents the United States from negotiating with terrorists, and that policy was in place in the course of our efforts to try to secure the rescue of Dr. Weinstein. And again, this is a policy that, particularly to the Weinstein family, is a very difficult one. And frankly, I think it's a pretty difficult policy even for just the average human being.

But the analysis is a reasonable one, which is that to engage in the practice of negotiating with terrorist groups to try to secure the release of innocent Americans would only put at risk more innocent Americans.

Jon.

Q Josh, you won't even tell us that this was a drone strike or these were drone strikes?

MR. EARNEST: Jon, I'm not able -- despite the extensive information I am able to provide about a previously classified operation, I'm not able to discuss precisely how this operation was carried out.

Q So you tell us that Adam Gadahn and Ahmed Faruq were not the targets. Does the President regret the fact that they were killed in these strikes?

MR. EARNEST: No. Those two individuals that you mentioned were leaders in al Qaeda. They had prominent positions. We know that Mr. Faruq, for example, was a leader of AQIS -- al Qaeda in the Indian Subcontinent -- and that he was playing a prominent role in leading that network's operations and planning in that region of the world. We know that Mr. Gadahn has styled himself as a prominent spokesperson for al Qaeda. And it is for that and other reasons that he was indicted by the U.S. government for treason.

Q So the administration's policy on the justified killing of American citizens in these counterterrorism strikes, according to the Attorney General, is that they represented an "imminent threat of violent attack against the United States" and that capture was not feasible. Are you saying that Adam Gadahn and Ahmed Faruq represented an imminent threat of violent attack against the United States? Because that, under your policy, is the definition of a justified killing of an American.

MR. EARNEST: And what I'm saying is that these two al Qaeda leaders were frequenting an al Qaeda compound that had been identified by the United States. And the United States carried out a counterterrorism operation against those compounds with the intent of taking al Qaeda fighters and al Qaeda leaders off the battlefield. We do that because we know that the al Qaeda organization is actively planning and plotting against American citizens. We have -- as is encapsulated in the authorization to use military force, the United States is at war with al Qaeda and its affiliates because of the way in which these affiliates are plotting and actively planning against the United States and our citizens.

Q Okay, but what I asked is: Gadahn and Faruq, did they represent an imminent threat of violent attack against the United States? Which is the words of the Attorney General as to what would qualify as a justified killing of an American.

MR. EARNEST: Well, what I can share with you from here is that these two individuals were not targeted in this specific counterterrorism operation, but we know that they were hit in this counterterrorism operation and they were killed in this counterterrorism operation because they were leaders of al Qaeda, and we know that al Qaeda is an organization that is actively plotting and planning against the United States.

Q But is it legal under the guidelines that this administration has put in place, is it legal to kill American citizens who do not represent an imminent threat of violent attack against the United States?

MR. EARNEST: What is permissible under international law and in the protocol that the President has established is for the United States to carry out strikes -- to carry out operations against al Qaeda compounds that we can assess with near certainty are al Qaeda compounds that are frequented by al Qaeda leaders. And that is the operation that took place, and that operation did result in the death of al Qaeda fighters and al Qaeda leaders who were in this al Qaeda compound.

Q But would it have been illegal for you to intentionally target those two men?

MR. EARNEST: Well, there is a separate procedure and protocol for specifically targeting American citizens. And this is the protocol that was

followed in the targeted operation against Anwar al-Awlaki in Yemen. So there is a separate procedure and protocol for doing exactly that.

Q So if it was not Adam Gadahn who was being targeted in one strike and it was not Ahmed Faruq being targeted in the other strike, who was being targeted?

MR. EARNEST: What was targeted was what the intelligence community assessed with near certainty was an al Qaeda compound that we assessed with near certainty was being frequented by al Qaeda members, al Qaeda fighters, and, in this case, al Qaeda leaders.

Q So there was no who? There was no specific al Qaeda leader or leaders that were being targeted? It was a compound?

MR. EARNEST: What was being targeted was this specific al Qaeda compound.

Q In both cases?

MR. EARNEST: In both cases.

Q In both cases. And no names attached to that? There were no -- we didn't have a list of --

MR. EARNEST: That's correct. What we were targeting specifically was this al Qaeda compound that was based on this near-certain assessment that this was a compound that was maintained by al Qaeda and frequented by al Qaeda leaders.

Q Okay, there's another story I wanted to get you on quickly -- revelations regarding donates to the Clinton Foundation and actions taken by the United States government. I want to take the second part first. In hindsight, given what has happened with Russia over the last year or two, was it a mistake to allow a Russian company to essentially corner the market on uranium in the United States? Was it a mistake to allow that transaction to go forward, allow them to control basically one-fifth of the uranium supply in the United States?

MR. EARNEST: Jon, I'm not familiar with that specific transaction. I know there's been some reporting on this today, but I can take your question and

see if we can get back to you on the specific transaction that you're talking about.

Q And the memorandum of understanding that governed Hillary Clinton's financial dealings, the financial dealings of the foundation and her husband's speaking fees -- first of all, can you make that memorandum public? Because I don't think we've ever seen it.

MR. EARNEST: This is a memorandum of understanding that resides at the State Department, so you can ask them about their policy for disclosing it or not.

Q Okay, we've asked for that. I'm wondering if you can -- I mean, this is -- I mean, in the interest of transparency this was supposed to be all about transparency. Can we see that memorandum?

MR. EARNEST: I think the goal of the memorandum was to ensure that even the appearance of a conflict of interest was avoided by ensuring that there was greater transparency and greater knowledge about the contributions that were being accepted by the Clinton Foundation for the charitable work that they do. That was the goal of the memorandum.

Q I mean, essentially, then-Secretary of State Hillary Clinton promised that she would make public the donations to the Clinton Foundation and also speaking fees for President Clinton. Isn't it clear now that Secretary Clinton did not abide by her own memorandum of understanding with the President?

MR. EARNEST: I'm not sure that that's clear, but you should go ask Secretary Clinton's team about that.

Q Well, I'm asking you, because we now read that Uranium One, a foreign company, donated over \$2 million to the Clinton Foundation while she was Secretary of State. That would seem to be a pretty clear violation of a memorandum of understanding as it's been explained to us by you.

MR. EARNEST: Well, again, for the details of this transaction I'd refer to either the State Department or Secretary Clinton's team. Obviously, that's not something that was reviewed at this level.

Q And we also know that, previously, that a \$500,000 donation from the Algerian government went to the Clinton Foundation while Hillary Clinton was

Secretary of State. Again, isn't this a clear violation of a memorandum of understanding that said that, first of all, there was going to be an end to foreign donations, and these donations would -- and donations to the foundation would be made public?

MR. EARNEST: Again, I'd refer to you Secretary Clinton's team about that.

Q Well, can you check in on this, as well? This is an understanding with the President, right? This was --

MR. EARNEST: Yes, but you're asking about their compliance with this particular matter and whether it lived up to the standards that Secretary Clinton had set for herself. And so I'd refer you to Secretary Clinton's team to render some judgment on that.

Q One thing Secretary Clinton's team has referred us back to the White House on whether or not any agency objected to that Uranium One deal, again, that allowed the Russians take steps towards cornering the uranium market, which seems pretty significant. If any -- referred us to you if there's been any objections. So will you please find out for us if there were any objections made by any agency of the United States government for the Russians making such a bold move towards cornering a significant section of the uranium market?

MR. EARNEST: I will take a look and see if there's information that we can provide on that specific matter. I know the other thing that has also been pointed out here is that this was a decision that other countries had the opportunity to weigh in on, as well. And that seems like a relevant fact in terms of the completion of this specific transaction.

Q I'm asking about our country, but I appreciate it.

MR. EARNEST: Understandable. And if there's information that we can provide, I will. I'll try to do that.

Jim.

Q Before we get back to the operations and the news of today, I just wanted to follow up on Jon's question about the Clinton Foundation. Do you feel and does the President feel that the Clinton Foundation -- that Hillary Clinton provided sufficient information about the foundation's activities while she was

Secretary of State? Are you fully satisfied with the disclosure from the foundation and her disclosures?

MR. EARNEST: I haven't been presented with any evidence to indicate that somehow there has been insufficient information provided to the administration.

Q And getting back to the operation, I wanted to ask about Gadahn one more time. You mentioned he was a prominent spokesman for al Qaeda, but had he moved into an operational role in any way?

MR. EARNEST: I don't have any additional assessment about his activities to share with you other than to note that he was an al Qaeda leader who frequented this particular al Qaeda compound. He is somebody who did serve as the public face of al Qaeda in some of their communications. He is somebody that was wanted by the U.S. government both for treason and for providing material support to terrorists. And there was an assessment of near certainty that an operation against this compound would succeed in taking out members of the al Qaeda leadership. And in this case, that assessment was correct.

Q And I know there are -- as we've talked about here, there are some details that you can't provide, and so I may be going through some red lights here. But what was it about the surveillance of these compounds that gave the counterterrorism officials confidence or high levels of confidence that these were al Qaeda compounds that were about to be struck?

MR. EARNEST: There's not additional information that I can share about the intelligence that led to the near-certainty determination that was reached.

Q Okay. And can you say whether or not these were ground forces that carried out these operations?

MR. EARNEST: I'm not able to discuss exactly how the operation was carried out.

Q You can't say whether they were ground or air? And getting back to the use of drones, does the President have any second thoughts now about their usefulness in carrying out these kinds of operations?

MR. EARNEST: Well, first of all, the thing that we do know about these kinds of counterterrorism operations is that they have made al Qaeda less capable of receiving recruits. They have succeeded in diminishing al Qaeda's command and control capability. And we know that as a result of some of these operations, al Qaeda leaders have changed their behavior and are now intensely focused on their own personal security. And we know that when al Qaeda leaders are focused intently on their own personal security, that means they have less time and energy and attention to devote to plotting against the United States. So that is an important thing.

Q So drone strikes work?

MR. EARNEST: Well, what the President indicated -- and the President went through a lot of this in his National Defense University speech. Our preference when dealing with suspected terrorists is to capture, detain, debrief and prosecute them. And we -- the Obama administration has a very strong track record of doing exactly that in locations all around the world, frankly.

But the fact is, as I mentioned earlier, in some areas of the world, particularly in remote locations where extremists are hiding out, local authorities have limited capacity and, in some cases, limited will to go after these extremists. So the limited capacity of local forces and the remote nature of these environments is precisely why these extremists are hiding there. And what the President made clear -- again, and he made this clear more eloquently in his National Defense University speech than I will from here -- but what he made clear is we can't use Special Operation troops to go after every terrorist in the world; that we can't conduct an Osama bin Laden-style raid against every terrorist.

There are a variety of reasons for that. One, it would be an unacceptably high risk to our men and women in uniform. Two, it would actually be a higher risk to civilian populations than some of the other capabilities that we often use; that the deployment of a large number of U.S. forces on the ground could lead to a fire fight with local civilians that we don't actually have argument with. It could leave some local populations with the impression that the United States is seeking to occupy territory in their neighborhood. That, of course, is not true, but I think that is a reasonable conclusion if you're living in a remote region of the world, and you turn around and you see several dozen or even several hundred U.S. American military personnel.

So the truth is that narrowly tailored counterterrorism actions are actually the least likely to result in civilian or innocent loss of life. However, what is abundantly and tragically clear this morning is that even narrowly tailored actions do not completely eliminate the risk of innocent loss of life. However, the President is determined to push his team -- and this is a conviction that's shared by other senior members of the President's national security team -- to review and, where necessary, reform the protocols that are in place to allow us to continue to carry out the counterterrorism operations that are critical to our national security, while also ensuring that those actions live up to the high standards and values that our country cherishes.

Q One last thing. I know there's a lot of other questions in the room. But it had to have been known by counterterrorism officials that al Qaeda leaders in compounds that they might have high certainty is an al Qaeda compound would likely be holding Americans hostage, or have the potential for holding Americans hostage. Is that a part of the risk that is taken when this kind of operation is conducted?

MR. EARNEST: Well, there are obviously a variety of risks that are associated with these kinds of operations. And what is clear is that our national security professionals go to great lengths to try to reach this near-certainty assessment. They rely on multiple sources of intelligence. In this case, one of those sources was hundreds of hours of surveillance of a specific compound, including near-continuous surveillance of that compound in the days leading up to the mission.

We know that as our national security and counterterrorism professionals are trying to reach this near-certainty determination, that they will seek out credible but contradictory sources -- or credible but contradictory intelligence; that they're looking for intelligence that would wave them off reaching this designation, or reaching this assessment. And then, these kinds of assessments are also subjected to a thorough Red Team process, where essentially you have intelligence professionals who are not part of developing this intelligence who will review the intelligence that's been collected to try to poke holes in it, to make sure that it actually represents the complete picture.

Q So in all these hundreds of hours of surveillance, it just wasn't ever seen that these hostages were present, is what you're saying?

MR. EARNEST: Well, I can't talk in detail about what was seen in the -- what was gathered in the course of conducting this surveillance. But I think it would be reasonable for you to assume that if they had detected a civilian in the compound, that they would not have been able to reach this near-certainty assessment. But they did, but unfortunately that assessment was incorrect.

April.

Q Josh, I want to find out, when did the President talk to the Italian Prime Minister? Did he talk to him about this last week when both of them were meeting in the Oval Office?

MR. EARNEST: He did not. The President had a conversation with Prime Minister Renzi just yesterday.

Q So what was the conversation? If you could tell us what was in that conversation.

MR. EARNEST: The conversation was relatively short and very direct, and the President delivered a message to Prime Minister Renzi that's consistent with the message that he delivered here. And the President spoke in his statement this morning about how the values that motivated Mr. Lo Porto to travel a great distance from his home country and from his family, and try to meet the needs of the local population in Pakistan to help people find their way out of poverty is consistent with the kinds of values that certainly are embodied by the life of Dr. Weinstein and are the kinds of values that we cherish in this country. And I think that's a testament to the bonds and values that the United States and Italy have in common and were on full display in the lives of Dr. Weinstein and Mr. Lo Porto.

Q Was there any kind of concern from the Prime Minister that he was here and with the magnitude of the situation, that it would have been discussed during their conversation in the Oval Office last Friday?

MR. EARNEST: No, that was not communicated to the President.

Q And also on another subject. Today, Loretta Lynch will get that vote that you've been -- that the White House has been looking for. Any comments about the anticipation of a vote?

MR. EARNEST: Well, that vote, as I've mentioned before, is long overdue. And we are hopeful that Senate Republicans will finally do the right thing and allow the nomination of this very well-regarded career prosecutor to come up for a vote. And we're confident that if they follow through on their promise to give her a vote, that after a long delay she will finally be confirmed with bipartisan support as the next Attorney General of the United States. That will be a good thing.

Q Do you expect an approval today? Do you expect an approving vote today?

MR. EARNEST: That's the indication that I've received from our staff that works closely with the United States Senate, and I hope that information is correct. And again, if she receives that vote today, that is a long overdue step in completing her confirmation process.

Major.

Q Josh, did the U.S. government at any time have a sense of where Dr. Weinstein was?

MR. EARNEST: Major, I can tell you that our intelligence professionals and our counterterrorism professionals expended significant resources to try to locate Dr. Weinstein and rescue him. And this was work that went on -- has been underway since he was first taken hostage back in 2011. So this is a long-running effort that the President was regularly briefed on the status of the effort to find him. But that's about all I can say about --

Q Was there ever an operation to try to rescue him?

MR. EARNEST: Not that I'm aware of.

Q In this assessment, was it ever raised by the Red Team or others that he might be in this compound?

MR. EARNEST: Well, I'm not able to talk about what specifically -- how this assessment was reached. But given the very high standard that is put in place, this near-certainty standard, I think it is reasonable for you to conclude that the intelligence professionals who evaluated this particular situation -- both in terms of drawing on the available intelligence, including the hundreds of hours of surveillance -- that they had no idea that he was there.

Q How sobering is it that hundreds of hours of surveillance proved to be so fatally flawed?

MR. EARNEST: Well, the first is, is that it is an indication of the lengths to which al Qaeda goes to conceal the location of hostages that they take. And this is, again, an indication of just how highly valued these hostages are by al Qaeda. It's an indication of how difficult the work is to try to find these hostages so that they can be rescued. And that's the first thing.

But obviously what occurred is very tragic. And you all had the opportunity to see the President up close and personal when he delivered his statement here, and I think it was clear from watching him deliver his remarks how personally he takes this. He's the Commander-in-Chief, and his top priority is to protect the American people. And it is particularly painful that an operation that was carried out consistent with his policies to try to protect the American people, unfortunately and tragically resulted in the death of an American citizen -- an innocent American citizen.

Q In that National Defense University speech, the President went to great lengths to talk about the difficult cost-benefit analysis and the risks involved in how they weigh upon him.

MR. EARNEST: And I had an opportunity to talk to him about this today. There is probably -- this is as good an illustration as any of the difficulty in weighing those competing priorities.

Q Since you had that conversation, allow me to ask you: Knowing what he knows now, does the President believe this series of operations was worth it?

MR. EARNEST: Well, again, the standard that the President has set for these kinds of counterterrorism operations is near certainty that civilians would not be harmed.

Q But I ask that because you've made it clear to us you were not targeting anyone. This was a compound. That's not in pursuit of any particularly identified, vetted, or thoroughly established operational leader of al Qaeda. It was a compound. And there was nobody in particular, as we understand it, based on what you've told us, the United States government was seeking to attack or eliminate. And I'm just wondering, that standard of not seeking

anyone and having a specific target resulting in the deaths of these two innocent hostages, does the President consider it worth it?

MR. EARNEST: Well, I think it's important, because in this instance we've gone to great lengths to declassify as much information as we can, for us to scrutinize these two situations.

As it relates to the operation against the compound that resulted in the death of Adam Gadahn, you had the intelligence community reach a near-certain assessment that this was an al Qaeda compound and it could be carried out without harming any innocent civilians. Those assessments were correct, and that operation did succeed in taking an al Qaeda leader off the battlefield.

The other operation that resulted in the death of Ahmed Faruq, the al Qaeda leader who was frequenting that compound, also resulted in the death of Dr. Weinstein and Mr. Lo Porto. The near-certain assessment that it was an al Qaeda compound and that it was frequented by an al Qaeda leader was correct. What was not correct is that an innocent civilian would not be harmed in that strike.

Q Weighing all those things, was it worth it?

MR. EARNEST: And so I think the point is simply this -- that when it comes to that particular operation, the protocols that are in place, had our intelligence professionals known that there were -- or even suspected that there were innocent civilians in and around that compound, then the operation would not have been carried out because it would not have been consistent with the protocols that the President and his team have established.

And again, that is what makes this all the more tragic, is that the protocol that was in place has a very high standard for only moving forward; that the operation -- the protocol is in place to ensure that the operation will only be carried out if we can be confident with near certainty that an innocent civilian will not be killed or harmed as the operation is carried out.

And in this case, despite hours, hundreds of hours of surveillance and other sources of intelligence, including near-continuous surveillance of the compound in the days leading up to the operation, the presence of these civilians was not detected.

Q In that speech, the President also established the way by which if an American is being targeted, Congress and the Justice Department are brought into the conversation. As I gather it -- I think this is an assumption, but I just want you to confirm it -- because no one was targeted, that process was not carried out?

MR. EARNEST: There is a very process if the intelligence community determines that it's necessary to target a counterterrorism operation against a specific American citizen. That protocol -- that policy was not pursued in this instance because there was no specific American citizen who was targeted.

What was targeted was a compound that our intelligence officials assessed with a high degree of confidence, with near certainty that was frequented by al Qaeda. And again, in both of these instances, that assessment, that near-certainty assessment was correct.

Q What are we to conclude from the potency -- or about the potency of al Qaeda in this particular region that a compound in of itself was a legitimate target? That compounds without anyone identified within them, operationally, are so threatening to the United States that they must be carried out? That suggests to me a level of anxiety about the potency of al Qaeda still in that region.

MR. EARNEST: I think what you should conclude is that it demonstrates a level of determination and resolve to continue to apply pressure against the remnants of core al Qaeda that still are living in the Afghanistan-Pakistan region. And we know that these kinds of counterterrorism operations have made al Qaeda less capable of receiving recruits, have made them less capable of exercising some command and control. And we know that it has made these al Qaeda leaders intensely focused on their own personal security in a way that detracts from their ability to plan and plot against the United States.

And the President and his team are determined to keep up that pressure because we know that pressure is critical to the safety and security of the American people. At the same time, they're also determined in ensuring that these kinds of operations live up to the high standards that the President has said for not injuring or killing innocent people.

Q Just to follow up on Jonathan's question about the Clinton revelations -- you seem very nonchalant about them. And I'm just curious if you believe the President is comfortable with everything he has learned in the last couple of days, and that to his satisfaction -- I'm not talking about the Secretary of State's compliance; this was an agreement with the President of the United States. To his satisfaction, do you believe this administration, the President of the United States is comfortable and satisfied with what's happened, what's been revealed, and what the Secretary of State did in accordance to her agreement with him?

MR. EARNEST: At this point, there has not been any evidence presented that would prompt the President or anybody at the White House to be unsettled by Secretary Clinton's conduct as Secretary of State. In fact, everyone here at the White House, including the President, continues to be very proud of her service to this country as Secretary of State of the United States.

Jared.

Q I want to follow up on a couple of Jon's questions, specifically regarding Faruq and Gadahn. Would they have been eligible targets under the criteria that Jon mentioned?

MR. EARNEST: Well, Jared, the things that I can tell you is that neither Mr. Gadahn nor Mr. Faruq --

Q I know they weren't targeted. I'm asking whether they would have been eligible targets.

MR. EARNEST: Not only were they not targeted, they were also not classified as high-value targets. But they were and had been identified as al Qaeda leaders. In the case of Mr. Gadahn, he'd even been indicted for treason and for providing material support to a terrorist organization. So that is an indication of how serious we considered the threat from them to be. We know that Mr. Faruq was a leader in al Qaeda in the Indian Subcontinent; that he was a senior official as the al Qaeda network was plotting and planning in that region of the world.

So these are individuals who had a leading role in al Qaeda and the al Qaeda network. And that is why the near-certainty assessment that a strike against

these al Qaeda compounds would result in the death of an al Qaeda leader resulted -- or turned out to be true.

Q But I want to ask you about that indictment because you said earlier that the President has no regret for the death of Faruq or Gadahn. They weren't taken prisoner, they weren't targeted directly. Essentially, a death penalty had already been carried out for a sentence, a trial for treason that will never now happen. Does the lawyer in the White House regret that; that this justice process wasn't able to be fully carried out?

MR. EARNEST: Well, Jared, these are very complicated issues, and these are issues that are considered in very painstaking detail in the speech that the President delivered to the National Defense University back in May of 2013. So I certainly commend a quick look at that speech when you get an opportunity.

But let me just say as a general matter that our preference, as the President said in that speech, is always to capture, detain, debrief, and prosecute terrorists. And we have a very strong track record of doing that successfully in a way that's consistent with our values and in a way that is consistent with the national security interests of the United States.

But the fact remains that there are some regions of the world where local authorities have limited will -- in some cases, it's just limited capacity -- to be able to go after these individuals. In fact, we know that that's precisely why the terrorists or the extremists are hiding out there. And in many of these cases, it's just not feasible to deploy American boots on the ground to go get them. We can't order up a Special Operations raid every time we suspect that a terrorist might be somewhere. In fact, to do so would subject our military servicemembers to an unacceptably high risk. It would pose an even higher risk to local civilian populations than some of the more narrowly tailored counterterrorism operations that we carry out that don't involve putting boots on the ground.

So this is -- in fact, we know that these kinds of narrowly tailored actions are actually the least likely to result in the innocent loss of life. And that's part of what makes them such an effective tool.

Q I guess what I'm asking about is the cavalier tone here. Because when you say there's no regret, but you say we prefer one option versus the other,

but no regret that they're gone, that they're dead, wouldn't it have been better if they had been brought to trial? And isn't the lack of precision here contributing to that deficit?

MR. EARNEST: Well, again, I think I disagree with your characterization as the attitude that's on display today as cavalier. I think this is -- we're demonstrating a pretty seriousness of purpose here.

And what I would say is that -- I've said a couple of times now that our preference is to capture, detain, debrief, and prosecute suspected terrorists. We've done that in a large number of occasions in a way that has enhanced the national security of the American people.

So yes, I would stipulate that our preference would be, for somebody like Mr. Gadahn, to walk into a law enforcement agency and turn himself in, and have an opportunity for us to detain that individual, to debrief him; we have a process for debriefing individuals in that kind of scenario. And we would subject him to American justice. That would be our preference.

But when we're talking about these kinds of scenarios, it is just not feasible and not wise for us to deploy American boots on the ground to detain every suspected terrorist that we come across.

Q One last one. Just a quick factual one. Were any other nations involved or informed as part of either of these attacks?

MR. EARNEST: I can't speak to the involvement of any other countries. I can tell you that notifications, obviously as I mentioned, were made to the nation of Italy, specifically the Prime Minister, because of the death of the Italian hostage. I can tell you that the nations of both Pakistan and Afghanistan have received notifications about this matter because the operation was carried out in the Afghanistan-Pakistan region.

Q Were they informed before or after the attack was carried out?

MR. EARNEST: The information that was conveyed to them is the same information that was conveyed to all of you today. So this was obviously a recent notification.

Viqueira.

Q Thanks, Josh. I want to get this question in because tomorrow marks an anniversary, an inauspicious day. It was 100 years ago, the Armenian -- the killing of 1.5 million Armenians in the waning days in the Ottoman Empire. Is the death of 1.5 -- the killing of 1.5 million people, is that a genocide?

MR. EARNEST: Mike, it has been the policy of the United States to freely acknowledge the massacre of more than 1.5 million Armenians that took place 100 years ago tomorrow. And it's a somber day and it's a somber remembrance. And in fact, there is a delegation -- an American delegation being headed by the Treasury Secretary, Jack Lew, to go and participate in the ceremonies that will mark this tragic event.

The United States mourns the loss of those who were lost in that tragic series of events. And we continue to reiterate our belief that the candid and frank acknowledgement of those kinds of tragic incidents serves to make it less likely that those kinds of events will happen in the future. And we believe that all parties have a vested interest in acknowledging the truth about that massacre.

Q Josh, you mentioned -- you used the phrase "candid and frank," so I'd like to quote back to you with when Senator Obama said when he was campaigning in 2008: "America deserves a leader who speaks truthfully about the Armenian Genocide and responds forcefully to all genocides. I intend to be that President." He used the genocide word then; he won't use it now. Armenian groups say he's betrayed them. Has he betrayed them?

MR. EARNEST: Mike, the President has spoken forcefully about the value and importance of acknowledging that particular tragic incident in history. And the President has spoken to that repeatedly. And as we have traditionally done in the past, we'll acknowledge the anniversary tomorrow in a statement from the President.

JC.

Q Josh, how intent is this administration with its allies on capturing and neutralizing the head of ISIL, Mr. al-Baghdadi?

MR. EARNEST: Well, JC, we use a wide variety of elements at our disposal, including our ongoing support for Iraqi security forces to apply significant pressure to ISIL and ISIL leaders. And the President has engaged in a

strategy in working closely with the coalition of 60 nations to degrade and ultimately destroy ISIL. And part of that strategy involves applying pressure and, where necessary and available, taking ISIL leaders off the battlefield. And that's a strategy that we'll continue to pursue. We've enjoyed some success in that so far, and we're going to continue to pursue it.

Q And he is the Supreme Leader of ISIL, as you know. It's needless to say --

MR. EARNEST: I'm sorry?

Q And he is the ultimate, the Supreme Leader of ISIL.

MR. EARNEST: Well, I think that's how he's described himself.

Q Fair enough.

MR. EARNEST: Okay.

Q Loretta Lynch has been confirmed, Josh.

MR. EARNEST: We'll have a statement on that shortly.

Q What do you think about it? 56 to 43, she's confirmed.

MR. EARNEST: That's obviously good news and we'll have a more robust statement from the President on that shortly.

Kevin.

Q Josh, thanks. I just want to do a little housekeeping on timing. How long between when the President was briefed on what happened and today, what's the gap there?

MR. EARNEST: Just about -- several days is the way that I would describe it. And that time period was -- has been used over the last several days to work to declassify as much information as possible about these two specific operations.

Q In 2012, the New York Times in an article about the administration made the suggestion that there is a briefing, sometimes including about 100 members of the administration and security, by video-teleconference whereby

the administration engages in sort of, for lack of a better description -- "Bob, pick who's next in the line, who's the next target." And I'm curious if Gadhafi in particular was one of these so-called next-in-line targets that the administration was looking for.

MR. EARNEST: Well, Kevin, what I'll say is that neither Mr. Gadhafi nor Mr. Faruq was considered to be a high-value target. We obviously were mindful of the risk posed by those two al Qaeda leaders, but they were not considered to be high-value targets. And I think I remember the story that you're referring to. It was after that story ran that the President gave the speech at National Defense University, where he laid out in pretty specific fashion the kind of protocol and policy that should be followed when considering counterterrorism operations like this.

And imposing that kind of order and imposing those kinds of reforms to the system that would contain the way that those decisions are made was an important national security achievement. It's important that our policies and protocols are able to adapt to our ever-changing and improving capabilities. And the President's speech that he gave at National Defense University is indicative of his commitment to ensuring that we have an adaptive set of protocols that allows us to maximize our ability to keep the American people safe while also adhering to the kinds of values that we hold dear in this country.

Q A quick follow-up on something Jon was asking you about with regard to the former Secretary of State Hillary Clinton. You said that you've seen nothing, or the administration or the President has seen nothing that would shake your confidence in her or in the job that she did while she was the Secretary of State. And I'm curious if you feel like the donations to the Clinton Foundation while she was Secretary of State -- some of them from foreign governments, some not previously disclosed -- does none of that trouble the administration?

MR. EARNEST: It doesn't, Kevin, because the President and the administration continues to have strong confidence in the decision-making of Secretary Clinton, and that she was somebody who served this country and this President extraordinarily well as the Secretary of State.

Mark.

Q Josh, are you able to say or give any detail about the size of the compensation package you mentioned earlier?

MR. EARNEST: I don't have those details.

Q Will you at some point?

MR. EARNEST: I'll see if we can get some more details about that precisely. I can just -- what I can confirm is that both Dr. Weinstein's family and Mr. Lo Porto's family will be compensated.

Q When would an amount be arrived at?

MR. EARNEST: I'm not sure exactly how that process works, but let me know look into that.

Lalit.

Q Thank you, Josh. Do you still believe that Af-Pak border region continues to be the safe haven for al Qaeda leaders?

MR. EARNEST: Can you say it one more time?

Q Do you still believe that Af-Pak border region continues to be the safe haven for al Qaeda leaders?

MR. EARNEST: There continues to be concern that there are al Qaeda leaders that are hiding out in the Afghanistan-Pakistan region. And because of our counterterrorism efforts -- we've talked before about how core al Qaeda has been decimated, and these counterterrorism operations have had an impact on al Qaeda's ability to receive recruits. It's had an impact on their command and control capability. It's even had an impact on the freedom of movement of some al Qaeda leaders because they're so intensely focused on their own security now.

So that pressure that's been applied to those al Qaeda leaders in that region of the world has had important national security benefits for the United States. It's also had important national security benefits for both Afghanistan and Pakistan, I'd point out.

But we're mindful of the continuing threat. This is obviously a region of the world that's rather remote. We know that local forces have limited capability to

operate in some areas of the Afghanistan-Pakistan region. And it's why we continue to use some of our capabilities in that region to protect the American people.

Q From the information that you have shared with us, since this morning it looks like this compound was inside Pakistan, not in Afghanistan. Is that a true assessment?

MR. EARNEST: I'm not in a position to be more specific about the location where this operation took place, beyond saying that it took place in the Afghanistan-Pakistan region.

Q And no prior information was shared with the governments of Afghanistan and Pakistan before the raid?

MR. EARNEST: I'm not able to speak to the specific communications between the U.S. government and the governments of Pakistan and Afghanistan in advance of the operation. But I can tell you that in recent days, after the high-confidence assessment was completed by the intelligence community that Dr. Weinstein and Mr. Lo Porto were killed in a U.S. government counterterrorism action, that this information was conveyed to both the Pakistani government and the Afghan government.

Q And why are you saying that the local authorities have limited will in handling these -- against these al Qaeda leaders? In the past, you have praised by the government of Afghanistan and Pakistan in the counterterrorism operations.

MR. EARNEST: Well, the United States values the kind of security cooperation that we obviously get from the Afghanistan central government. There's obviously an important security relationship between the United States and Pakistan. After all -- and I alluded to this in response to your earlier question -- that many of the extremists that are hiding out in this region have either planned or even carried out attacks in which the vast majority of the victims were actually Muslim citizens of Pakistan. And it's an indication that these kinds of extremist terrorist elements that are operating in the region of these two countries aren't just a threat to the American people, they're also a threat to the Afghan people and to the Pakistani people. That's why the United States government has succeed in building strong security relationships with both those countries to try to mitigate that threat.

Toluse.

MR. EARNEST: You mentioned the Osama bin Laden raid earlier, and I wanted to sort of draw a comparison. In that raid there was human intelligence, this courier that provided information to back up whatever surveillance that the U.S. had. In this case, we've only heard about the hundreds of hours of surveillance, presumably by satellite. Can you say if there was also human in-country surveillance and intelligence that helped to back that up?

MR. EARNEST: Well, what I can say, Toluse, is that the hundreds of hours of surveillance against this specific compound was a very important part of the source of intelligence that we had against this particular compound. It was not the only source of intelligence, however. And this goes to the near-certainly determination that's required before an operation can be carried out; that our analysts consider a multiple -- consider multiple sources of intelligence before reaching that near-certain determination.

And again, the hundreds of hours of surveillance, including near-continuous surveillance in the days leading up to the mission, would obviously be a very important and rich source of intelligence, but it's not the only source of intelligence that contributed to the targeting of this specific compound.

Q And there were some intelligence officials that have said that in the wake of the Edward Snowden revelations a lot of terrorists have gone offline and underground, and that the U.S. is relying too much on technological intelligence and not doing enough of human intelligence in the country. How do you sort of respond to that kind of argument?

MR. EARNEST: Well, I'd say two things about this. We're obviously talking about a very remote area of the world where even the capability that's given by human intelligence is limited. But I think what I would -- more importantly, I think what I would point out to you is that the fact that these al Qaeda leaders have gone underground is a testament to the impact that this counterterrorism pressure has had on their ability to operate.

If you have al Qaeda leaders that are shutting themselves off from the outside world, that are not taking advantage of communications devices and are seeking to go underground, that's going to make it a lot harder for them to exercise command and control. It's going to make it a lot harder for them to be

involved in broader organizational efforts of the network. It's going to be a lot harder for them to plan and direct attacks against the United States. And that's an indication of an important consequence of the pressure that the United States and our allies are applying against extremists.

Q One quick question on the Time Warner-Comcast deal. The FCC, the staff has come out against it. I was wondering if the President is going to get involved in this decision and if he has an opinion on it.

MR. EARNEST: This is a deal that is being evaluated by independent regulators, and so I wouldn't weigh in on it from here.

Ms. Weinberg, I'll give you the last one.

Q Thanks, Josh. I want to ask about the case of Kayla Mueller who was killed back in February. At the time, ISIS had claimed her death was because of a Jordanian airstrike. But at the time, at least for the DOD, they had said it was propaganda. So I'm wondering in light of this reassessment, why is the United States so confident in ruling that contingency out?

MR. EARNEST: For two reasons. The first is that we do not have a high-confidence assessment about what led to Ms. Mueller's tragic death. We were able, through a variety of intelligence sources, able to reach a high-confidence assessment about the tragic death of Dr. Weinstein. The second thing is, what we have said about Ms. Mueller's death is that ISIL has claimed that she was killed in a Jordanian airstrike. And what we do know and what we have made public is that there is no evidence that were Jordanian aircraft in the region at the time of the strike that resulted in her death.

So what I would just simply observe is that we are continuing to try to develop sources to get greater insight into what led to her death, but we are intensely skeptical of claims that her death was caused by a Jordanian airstrike because we know there were not Jordanian aircraft in that region at the time of that strike.

Q And that is sufficient to rule out that entirely, 100 percent?

MR. EARNEST: Well, again, we don't know anything 100 percent in that situation. That's why we're trying to gather more information about what led to her death. But we are, I think understandably, intensely dubious of claims that

a Jordanian airstrike led to her death when the fact is that there were no Jordanian aircraft in that area when she died.

Q But the specific of the Jordanian airstrike aside, has the contingency been ruled out that it could have been collateral damage from some ISIS anti-coalition offensive, be it something like a drone strike or something like that?

MR. EARNEST: Well, as we've said at the time, this situation, this circumstance is still being reviewed by our intelligence sources to try to get greater insight into what exactly occurred.

Thanks, everybody.

Q Josh, will Lynch be sworn in today?

MR. EARNEST: I don't believe there's a plan to do that today, but we'll keep you updated.

END

2:23 P.M. EDT



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